

October 1, 2002

To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

STATE LEGISLATIVE UPDATE

This report contains the Governor's final actions on all bills of interest to the County.

Signed Bills

County-supported AB 716 (Firebaugh), which creates an Historical and Cultural Resources Conservancy and appropriates \$294.7 million for FY 2002-03 from Proposition 40 funds for cultural and historical resource projects and local parks, was signed by the Governor on September 30, 2002 and will become effective January 1, 2003.

County-supported AB 982 (Firebaugh), which establishes the California Physician Corps Loan Repayment Program and the California Dental Corps Loan Repayment Program to authorize loan repayment of up to \$105,000 for physicians and dentists who practice in medically and dentally underserved areas of the State, was signed by the Governor on September 30, 2002 and will become effective on January 1, 2003.

County-supported AB 1163 (Calderon), which would direct the State Auditor to audit the Water Replenishment District's (WRD) operations and submit a report to the Legislature by June 30, 2004 and require the WRD to develop a five-year capital improvement plan and the appointment of six experts to a technical advisory committee to review proposed WRD projects, was signed by the Governor on September 28, 2002 and will become effective on January 1, 2003.

County-support in concept AB 1421 (Thomson), which permits counties to provide a court-ordered assisted outpatient treatment program for people with a serious mental disorder who are unlikely to survive in the community without supervision, was signed by the Governor on September 28, 2002 and will become effective on January 1, 2003.

County-opposed AB 1847 (Correa), which creates a presumption of industrial causation for any injury, illness or death suffered by a peace officer or firefighter which is caused by exposure to biochemical substances, was signed by the Governor on September 27, 2002, and will become effective on January 1, 2003.

County-supported AB 1990 (Lui), which expands the list of profit-motivated felonies for which a gang member's assets could be seized, was signed by the Governor on September 27, 2002 and will become effective on January 1, 2003.

County-opposed AB 2006 (Cedillo), which prohibits the governing board of a public agency with a population in excess of four million from changing a benefit plan provided to former non-represented employees who elect to become represented employees, was signed by the Governor on September 29, 2002 and will become effective on January 1, 2003, but is retroactive to July 1, 2001.

County-supported AB 2075 (Chavez), which requires defendants convicted of white-collar crime, drug trafficking, and financially motivated gang crimes to pay the reasonable costs incurred by a probation department for services provided, was signed by the Governor on September 27, 2002 and will become effective on January 1, 2003.

County-supported AB 2308 (Chavez), which allows jurisdictions to deduct inert waste deposited in a surface mining operation from the waste stream, was signed by the Governor on September 28, 2002 and will become effective on January 1, 2003.

County-supported AB 2314 (Thomson), which requires the Chancellors of the California Community Colleges and California State University to standardize nursing prerequisites and enter into transfer agreements among all community colleges and State University nursing programs, was signed by the Governor on September 29, 2002 and will become effective on January 1, 2003.

County-supported AB 2704 (Aroner), which authorizes the Department of Water Resources to establish a flood control and urban creek restoration program and requires that one half of the available grant funds be allocated to small urban creek projects and one half to large urban creek projects, was signed by the Governor on September 28, 2002 and will become effective on January 1, 2003.

County-sponsored SB 238 (Kuehl), which would authorize the County to construct and operate a new regional library at Schabarum Regional Park and make it possible to use State bond funds for the project, was signed by the Governor on September 28, 2002 and will become effective on January 1, 2003.

County-supported SB 1396 (Dunn), which requires a local sheriff and presiding judge to develop a court security plan and enter into a Memorandum of Understanding specifying the level and cost of court security services including lieutenants and captains who provide court security, was signed by the Governor on September 28, 2002 and will become effective on January 1, 2003.

County-supported SB 1732 (Escutia), which enacts the recommendations of the State Task Force on Court Facilities to transfer trial court facilities to the State, creates a process to manage the transfer of facilities, raises penalty assessments and parking offense penalties, and creates a civil fee surcharge, was signed by the Governor on September 30, 2002 and will become effective on January 1, 2003.

Vetoed Bills

County-support and amend AB 1947 (Washington), which would have permitted those convicted of a felony and enrolled in a Proposition 36 drug treatment program to be eligible for food stamps, was vetoed by the Governor on September 30, 2002, because it would result in General Fund costs.

County-supported AB 2424 (Goldberg), which would have allowed a school district to establish a local school construction authority and delegate to the authority all of the school facilities construction duties, was vetoed by the Governor on September 30, 2002. In his veto message, the Governor stated that this bill would dilute accountability for providing adequate school facilities and would give an authority's projects favorable treatment over all other projects participating in the School Facilities Program.

County-opposed SB 1609 (Soto), which would have mandated that county health care workers found to have a blood-borne infectious disease will be presumed to have contracted the disease on the job, was vetoed by the Governor on September 30, 2002. The Governor indicated that this bill would place the burden of proof on the employer and there is no evidence that employees are being denied service-related retirement benefits for illnesses that are work related.

County-supported SB 1619 (Romero and Sher), which requires the California Integrated Waste Management Board to provide grants to local governments to establish and maintain programs for the diversion or recycling of cathode ray tubes, was vetoed by the Governor on September 30, 2002 due to his stated concern that this program would not be the most efficient or cost effective approach for California.

County-oppose unless amended SB 1828 (Burton), which would have amended the California Environmental Quality Act (CEQA) to subject a project that has a potentially adverse impact on a Native American sacred site to additional conditions and require the project sponsor to consult with the tribe, was vetoed by the Governor on September 30, 2002. Among the reasons for his veto, the Governor indicated that the list of sacred sites may be inaccurate, there must be a balance between keeping the sacred sites confidential and identifying the sites to prevent development, and it is not clear that the CEQA process needs be used to protect sacred sites.

County-opposed SB 1975 (Johnson), which would have mandated that there be three Statewide elections during Presidential election years (March, June and November), and two elections in Gubernatorial years, (June and November), was vetoed by the Governor on September 30, 2002. In his veto message the Governor indicated that many local election officials would be installing new election systems in 2004 and recommended waiting until the new voting systems are fully operational before considering any change to California's primary election date.

Other County-Interest Legislation

SB 807 (Dunn and Perata), which would have added \$200 to the fines already imposed on those convicted of certain moving violations and required that 75 percent of these funds be deposited in the Physician Services Account of the Maddy Emergency Medical Services Fund (EMSF) for private sector physicians, and 25 percent to be allocated through the EMSF to public and private hospitals providing disproportionate trauma and emergency medical care services, was vetoed by the Governor. As of this writing, the veto message was not available.

Each Supervisor
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Final Master Bill List

The Attachment contains the final Master Bill List which includes all County interest bills for the FY 2001-2002 Session.

DEJ:GK
MAL:DRS:lm

Attachment

c: Executive Officer, Board of Supervisors
 County Counsel
 All Department Heads
 Legislative Strategist
 Local 660
 Coalition of County Unions
 California Contract Cities Association
 Independent Cities Association
 League of California Cities
 City Managers Associations
 Buddy Program Participants